IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL NO. 3:06CV248

| ALDEN JEROME HARDEN, |) |
|---|---------|
| |) |
| Petitioner, |) |
| |) |
| Vs. |) ORDER |
| |) |
| MARVIN POLK, Warden, Central |) |
| Prison, Raleigh, North Carolina; and |) |
| ROY COOPER, The Attorney General |) |
| of the State of North Carolina, |) |
| |) |
| Respondents. |) |
| |) |

THIS MATTER is before the Court on Petitioner's motions to expand the record and to hold the briefing schedule in abeyance pending the Court's ruling on the motion to expand the record.

For the reasons set forth in the motion to hold the briefing schedule in abeyance and for cause shown,

IT IS, THEREFORE, ORDERED that the Petitioner's motion to hold the briefing schedule in abeyance is **ALLOWED**, and his response to the Respondent's answer and motion for summary judgment is held in

abeyance until 45 days after the Court issues a ruling on the motion to expand the record.

IT IS FURTHER ORDERED that the Respondent file response to the Petitioner's motion to expand the record within 15 days from service of this Order; Petitioner shall have the opportunity to file a reply thereto within 15 days of service of the Respondent's filing.

Signed: August 8, 2008

Lacy H. Thornburg

United States District Judge